

Minutes of a meeting of the Cabinet held at County Hall, Glenfield and via Microsoft Teams on Tuesday, 20 October 2020.

PRESENT

Mr. N. J. Rushton CC (in the Chair)

Mr. R. Blunt CC
Mr. L. Breckon JP CC
Mr. B. L. Pain CC
Mr. T. J. Pendleton CC

Mr. J. B. Rhodes CC
Mrs H. L. Richardson CC
Mr. R. J. Shepherd CC
Mrs D. Taylor CC

In attendance

Mrs. C. M. Radford CC and Mrs B. Seaton CC

441. Minutes of the previous meeting.

The minutes of the meeting held on 18 September 2020 were taken as read, confirmed and signed subject to the following addition to minute 430:

Mr. Shepherd CC declared a personal interest in agenda item 7 (Community Managed Libraries) as his wife worked in a community library.

442. Urgent items.

There were no urgent items for consideration.

443. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

Mr. Shepherd CC declared a personal interest in agenda item 9 (Government Proposals to Reform Local Government Exit Pay) as a member of the Leicestershire Local Pension Board.

444. Coronavirus (COVID-19) Impact and Response of the County Council - Recovery.

The Cabinet considered a report of the Chief Executive and Director of Public Health regarding work being undertaken within the County Council and with partners to address the on-going impact of the coronavirus pandemic, the emerging risks over the Winter including winter flu and Brexit, and set out plans for recovery of services and the economy. The report also outlined the implementation of enforcement powers granted to the Council under the Health Protection No. 3 Regulations. A copy of the report and a supplementary report, marked 'Agenda item 4', are filed with these minutes.

Mr. Breckon recognised the pressures on officers in delivering the enforcement regulations and praised them for continuing to deliver an exceptional service.

RESOLVED:

- a) That the on-going LRF actions to deal with the significant risks posed by the coronavirus and other emerging risks be noted;
- b) That the introduction of the three-tiered Alert Levels and that Leicestershire currently was classed as Level One – Medium, except for Oadby and Wigston which was currently classed as Level Two – High, be noted;
- c) That the continuing work being undertaken on recovery, be noted;
- d) That the additional pressures on staff from Trading Standards and Public Health arising from enforcement action being taken under the Health Protection No. 3 Regulations be noted.

REASONS FOR DECISION:

To note the current position on the response to the coronavirus pandemic, the plans in place to support the continued recovery of the County Council's functions and services and address the winter pressures.

445. Adult Social Care Winter Plan and Measures to Support Care Home Provider Sustainability.

The Cabinet considered a report of the Director of Adults and Communities regarding the requirement to produce a Winter Plan for Adult Social Care by 31 October. The report also detailed the support already given by the Council to providers of care during the pandemic and identified ways in which the Council was managing the risk to the future sustainability of the care market. A copy of the report, marked 'Agenda Item 5', is filed with these minutes.

The Cabinet welcomed the additional allocation of Infection Control Funding of £6.1 million which would help residential and community care providers. Concern regarding the sustainability of the care market had increased during the Covid-19 pandemic.

Mr. Blunt emphasised the risks faced by the care market and the importance of the Winter Plan during the next phase of the Covid-19 pandemic.

Mr. Breckon praised the care providers, who had faced significant challenge during the pandemic, and had shown great resilience and dedication to keeping residents safe.

RESOLVED:

- a) That the requirement for the County Council to produce and approve a Winter Plan by 31 October 2020 be noted;
- b) That the Chief Executive and Director of Adults and Communities, following consultation with the Cabinet Lead Member, be authorised to approve the Winter Plan by 31 October 2020;
- c) That the support given by the Council to providers of care during the Covid-19 pandemic and the plans in place to manage the risk to the sustainability of the care market over the winter be noted.

REASONS FOR DECISION:

The County Council is required to write to the Department of Health and Social Care by 31 October 2020 confirming it has put in place a Winter Plan and that it is working with care providers in the area on their business continuity plans, highlighting any key issues if needed, in order to receive the second instalment of the Infection Control Fund. The local plan should consider the recommendations of the national Winter Plan and involve NHS and voluntary and community sector organisations where possible.

Publication and approval of the Winter Plan by 31 October 2020 ensures the Council will be able to access the extended Infection Control Funding from December 2020.

The Winter Plan requires the Council to work with local partners to engage with the Service Continuity and Care Market Review and complete a self-assessment of the health of local market management and contingency planning leading into winter.

All providers of adult social care and support have faced significant challenges during the Covid-19 emergency and the sector has shown resilience and dedication in keeping Leicestershire people safe at a time of great change and uncertainty.

446. Air Quality and Health Joint Action Plan 2020-2024.

The Cabinet considered a report of the Director of Public Health regarding the Council's ongoing work with partners to improve air quality across the County and seeking approval of the Leicestershire Air Quality and Health Joint Action Plan. A copy of the report, marked 'Agenda Item 6', is filed with these minutes.

Mr. Breckon said that air pollution had significant adverse effects on health. He highlighted that the Plan had received thorough challenge and scrutiny during its development and said that the concerns raised by the Scrutiny Commission regarding ownership and member involvement had been addressed. The Health and Wellbeing Board would monitor delivery of the Plan.

As the Lead Member for Climate Change, Mr. Pain said that the production of the Action Plan and the joint working with all stakeholders in Leicestershire would also support achievement of the Council's carbon reduction targets.

RESOLVED:

- a) That the comments of the Scrutiny Commission, appended to the report, be noted;
- b) That the continued work with partners to improve air quality across the County be noted;
- c) That the Leicestershire Air Quality and Health Action Plan 2020-2024 be approved.

REASONS FOR DECISION:

Air pollution has a significant impact on public health and wellbeing, and poor air quality is the largest environmental risk to public health in the UK. The public need to be aware of the impact of their behaviours on air pollution and measures that could be put in place to address these.

The Environment Act 1995 (Part IV) places obligations on both county and district councils to work together to develop their approach to addressing air quality and, with respect to Action Plans, ensure that all necessary measures to address air pollution in their local area are included. Whilst statutory responsibilities for addressing air quality rest with the district councils, some County Council functions such as Highways and Transportation will impact air pollution and improving the health of the population is also a County Council function. It is therefore beneficial to have a partnership approach.

447. Development of a Healthy Weight Strategy for Leicestershire.

The Cabinet considered a report of the Director of Public Health seeking approval to consult on the draft Healthy Weight Strategy for Leicestershire. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

Members were informed that the consultation with stakeholders would also include schools, district councils, wider health services and a range of service provision for overweight or obese adults and children.

Mr. Breckon emphasised the economic burden of obesity on the NHS and social care.

RESOLVED:

- a) That the draft Healthy Weight Strategy for Leicestershire be agreed for consultation;
- b) That a further report be presented to the Cabinet in Spring 2021 regarding the outcome of the consultation and seeking approval for a final Healthy Weight Strategy for Leicestershire.

REASONS FOR DECISION:

The County Council has a statutory duty to take appropriate steps to improve the health of people living in Leicestershire. This includes creating the conditions necessary to support people to achieve a healthy weight.

With two thirds of adults and one third of children in Leicestershire being overweight or obese, it is important that action is taken to address this important issue. Public consultation and partner engagement will be crucial in developing an effective healthy weight strategy.

448. Community Speed Enforcement Initiative.

The Cabinet considered a report of the Director of Environment and Transport concerning the establishment of a Community Speed Enforcement Initiative following the trial of average speed cameras at seven locations across Leicestershire. A copy of the report, marked 'Agenda Item 8', is filed with these minutes.

Members noted comments from Mrs. J. Richards CC, a copy of which is filed with these minutes.

The Director said that members would be kept updated with regard to the potential camera sites and supported in their work with local residents to address speeding.

Mr. Pendleton said that the success of the trial had demonstrated the positive impact such a Scheme could have on speed reduction.

Mr. Rhodes said the Council would continue to lobby the Government for the reinvestment of revenue generated from speeding offences to enable the Council to respond to residents' requests to expand the Scheme.

RESOLVED:

- a) That the outcome of the Community Speed Enforcement Initiative (average speed camera) trial be noted;
- b) That the Director of Environment and Transport, following consultation with the Cabinet Lead Member for Highways and Transport, be authorised to:
 - i. Undertake all necessary work to implement an ongoing programme of community speed enforcement initiatives, including the introduction of new average speed camera sites in line with the criteria set out in paragraph 56 of the report and associated consultation with local communities;
 - ii. Continue to work through the existing Leicester, Leicestershire and Rutland Road Safety Partnership and associated Memorandum of Understanding to finalise the operational details and manage enforcement for average speed cameras;
 - iii. Continue to lobby HM Treasury on behalf of the County Council regarding the reinvestment of revenue generated from speeding offences into the Community Speed Enforcement Initiative and advise all members on the outcome of this activity;
- c) That it be noted that funding of the programme will be identified and managed through the annual Highways and Transportation Capital Programme and Works Programme.

(KEY DECISION)

REASONS FOR DECISION:

The results of the Community Speed Enforcement Initiative (CSEI) trial show that average speed cameras have had a positive impact in reducing vehicle speed. The decision will facilitate the introduction of a new CSEI that incorporates the experience gained through the trial and will provide an appropriate framework to identify and deliver new sites using a consistent and evidenced based approach.

The Leicester, Leicestershire and Rutland Road Safety Partnership manages the speed camera programme with enforcement being undertaken by Leicestershire Police and a successful roll-out of community average speed camera enforcement initiatives is therefore dependent on the Partnership.

Changes to the rules regarding retention of revenue generated from speeding offences would mean that local authorities could have a sustainable source of funding to maintain a programme of CSEI.

449. Government Proposals to Reform Local Government Exit Pay.

The Cabinet considered a report of the Director of Corporate Resources concerning the Government's proposals to reform local government exit pay and the likely impact on staff over 55 years of age who were members of the Local Government Pension Scheme. A copy of the report, marked 'Agenda Item 9', is filed with these minutes.

The Director informed members that notwithstanding the consultation, the regulations pertaining to the proposals had now been through the Parliamentary process and would be effective from 4 November 2020.

Mr. Rhodes said that the Employment Committee would consider the matter at its next meeting in December.

RESOLVED:

- a) That the Government proposals to reform Local Government exit pay and the likely impact on staff over 55 years of age who were members of the Local Government Pension Scheme be noted;
- b) That the Chief Executive be authorised, in consultation with the Director of Corporate Resources, to agree the Council's response to the consultation and submit this to the Ministry of Housing, Communities and Local Government before 9 November 2020;
- c) That it be noted that a response to the consultation would also be submitted by the Leicestershire Pension Fund.

REASONS FOR DECISION:

The new exit pay regulations as proposed will have a significant impact on staff over 55 years of age in the Local Government Pension Scheme who leave the Council's employment through compulsory or voluntary redundancy, or via a settlement agreement. It is important, therefore, that the Council and the Pension Fund respond separately to the Government consultation.

450. Exception to the Contract Procedure Rules for Direct Award of a Construction Contract.

The Cabinet considered a report of the Director of Corporate Resources concerning a contract recently awarded for the refurbishment of the former Oakfield School site which, whilst valid and awarded properly, did not follow the Council's usual process. A copy of the report, marked 'Agenda Item 10', is filed with these minutes.

RESOLVED:

That it be noted that the contract award for the refurbishment of the former Oakfield School site should have been the subject of an Exception Report to the Cabinet, notwithstanding which the contract was considered to be valid and was entered into in good faith by both parties.

REASONS FOR DECISION:

To note the procedural error which has come to light during the transfer of the site and, by way of the report, to provide clarification and assurance for the Academy Trust.

451. Items referred from Overview and Scrutiny.

There were no items referred from Overview and Scrutiny.

2.00 - 2.54 pm
20 October 2020

CHAIRMAN